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Dolores malasits
Plaintiff(s),

**CONSENT TO PROCEED BEFORE
UNITED STATES MAGISTRATE JUDGE**

-against-

08 CV 5232 (RMB) (AJP)

Cirque du Soleil et al
Defendant(s).
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IT IS HEREBY STIPULATED by the undersigned:

1. All parties consent, pursuant to 28 U.S.C. § 636 (c) and Fed. R. Civ. P. 73, that a United States Magistrate Judge conduct all further proceedings in this action, including any trial and entry of final judgment.

2. Any appeal from a judgment entered in this case will lie to the Court of Appeals for the Second Circuit as from any other judgment of the district court pursuant to 28 U.S.C. § 636 (c) (3) and Fed. R. Civ. P. 73 (c).

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Attorney(s) for Plaintiff(s)

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Attorney(s) for Defendant(s) *Bridget C. Cane*

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New York, New York 10271
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(Separately executed forms may be submitted. See Fed. R. Civ. P. 73 (b)).

SO ORDERED:

RMB

Hon. Richard M. Berman, U.S.D.J.

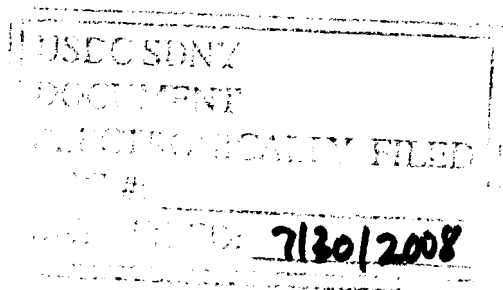
7/30/08

Magistrate _____ was assigned this case on _____

J. Michael McMahon, Clerk

By: _____

Deputy Clerk



RIGHT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636 (c), and Federal Rule of Civil Procedure 73, and S.D.N.Y. Local Civil Rule 73.1, the United States Magistrate Judges of the Southern District of New York have jurisdiction, with consent of all parties, to conduct any or all proceedings in a civil case, including jury or non-jury trials, and order the entry of judgement. Trial before a Magistrate Judge proceeds in the same manner as trial before a District Judge.

The Magistrate Judge previously designated for the case will conduct the consent proceedings. If no Magistrate Judge has been designated, one will be drawn by lot to preside.

In accordance with 28 U.S.C. § 636 (c)(3) and Fed. R. Civ. P. 73 (c), appeal in a consent proceeding lies to the United States Court of Appeals for the Second Circuit as it would from any judgment of the district court.

The decision to consent, or not to consent, to proceed before a Magistrate Judge under § 636 (c) is entirely voluntary. Only if all parties to the case consent to the reference will either the District Judge or Magistrate Judge be informed of the decision. Fed. R. Civ. P. 73 (b).

If the parties in this action consent to proceed before a Magistrate Judge, the attached consent form should be signed by counsel for all parties and submitted to the Judgment and Orders Clerk in Room 120 of the Courthouse at 500 Pearl Street or Room 167 of the White Plains Courthouse. Separately executed forms may be submitted. See Fed. R. Civ. P. 73 (b).